

Andy Nguyen

Parliament of Victoria

31 January 2020

RE: Submission – Inquiry into the increase in Victoria's road toll

Dear Parliament of Victoria,

We need a new approach to road safety in Victoria.

Many crashes and deaths on our roads nowadays are caused by complacency, inattention and poor driving skills. There needs to be change involving many areas.

Better drivers

Firstly, there needs to be better training and education programs for our learner drivers. There should be need qualified driving instructors, rather than parents, teaching and supervising the learner drivers in the initial months of learner's permit stage. Parents don't necessarily have the qualifications to teach learner drivers in all types of conditions and the concern is that parents may not have a good understanding of good driving habits, or that they may not drive often, or that they may have time pressures.

In addition, there is too much emphasis on passing driving tests and not enough emphasis on preparing drivers for life on the road. To overcome this issue, driving tests can be adapted to expose drivers to a wide range of conditions, and driving assessment courses could be introduced as another option in lieu of drive tests, conducted by qualified driving instructors, with a wide range of criteria that drivers should meet over a certain period in order to get a licence. We could use best practices from other countries in the world such as Germany, France and other European countries as a guide to deliver a vastly improved driver training regime for our learner drivers.

It is vital that those who get their drivers licence can drive, and it would also be desirable if they either need to drive due to work or a busy lifestyle, or they have a passion for driving. Ideally, anyone going for their licence should be able to drive in a variety of traffic, road and weather conditions using best driving practices, this reduces crashes caused by inexperience and it also demonstrates their passion and commitment for driving. Driving lessons could be tailored so country drivers have some experience driving in busy traffic and city drivers have some experience driving in country roads.

It is important to note that in Victoria, the minimum age to hold a provisional licence is 18, the same is in several European jurisdictions. One option that could be considered is separate pathways for learner drivers; meaning some learners could opt undertake a drive test or assessment at anytime they like before they turn 18, then undertake supervised driving before being able to drive independently at 18. In Germany, this was found to reduce accidents and traffic offences.

In return for investment in delivering better driver training, the government could investigate easing high-powered vehicle restrictions for newly licensed drivers, allowing those drivers to drive them if they are tested or assessed in one.

There also need to be encouragement, motivation and maybe some incentives for all drivers to continue to improve their driving skills. Governments and authorities should work with driving course providers, better promoting advanced and defensive driving courses that ensure drivers are able to take their driving skills to the next level, but also maintaining road safety in the process. Governments could subsidise these courses, or alternatively drivers who take part in those courses may get discounts on their next registration or licence renewal.

As with new drivers, governments should also have the resources to better equip and prepare international drivers who intend to use Victorian roads. The requirements can differ depending on which jurisdiction the driver came from and any major differences between driving in their home country and Victoria.

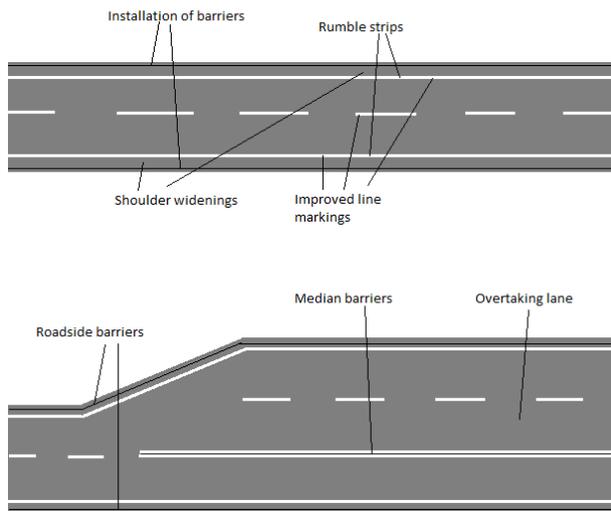
Whilst I am in favour of recent changes involving international drivers, tourists intending to use Victorian roads could be made to complete a road rules online assessment after they book their car rental and before they travel, giving them the opportunity to develop their knowledge of using our roads beforehand, which reduces accidents caused by confusion and complacency as well as enhancing road safety in Victoria.

As time goes by, road rules can change as well. There should also be opportunities for all drivers to quiz themselves on road rules on a periodical basis. This could happen when they renew their licence, and there also needs to be an easier access to the practice learner permit test on the VicRoads website which can be random, interactive and accessible to everyone, not just forthcoming learner drivers.

Better roads, speed limits and road rules

In addition to better drivers, we need to ensure our roads are fit for purpose as well. State governments spend billions of dollars on major road projects and upgrades in the metropolitan Melbourne, but investment is nowhere near enough for our regional roads. Whilst regional Victoria is about one-quarter of the state's population, it receives a far less proportion of total funding for road projects and upgrades in Victoria and has more road fatalities than metropolitan Melbourne.

There is an opportunity to bridge the divide between our city and the country, ensuring our roads are safe and meet community expectations. Roads are the backbone of getting around in rural and regional Victoria. Whilst some funding for road maintenance and upgrades are welcomed, there are still work that needs to be done. Those works could include more overtaking lanes, rumble strips, shoulder widenings and treatment of intersections, carried out in selected roads across rural and regional Victoria. They could easily be paid for through our registration and licensing fees.



Wire rope barriers, whilst it has some benefits, may have its disadvantages for some road users. The state government should investigate whether wire rope barriers continue to be effective, researching and utilising evidence that may not have been considered before. Wire rope barriers are banned in several European jurisdictions including France and the Netherlands because of its contribution to road fatalities, and wire rope barriers, whilst it may save lives, have also contributed to road fatalities in Victoria. All types of roadside barriers do have its advantages and disadvantages, but some maybe more effective than others.

Given technological advancements, if there is a better replacement for wire rope barriers as a form of roadside barrier after considering research and experience from overseas jurisdictions, then the government needs to have a look into it.

Parts of Europe, America and Asia have maximum speed limits higher than ours, and there is a worldwide trend towards raising speed limits. Even Japan is raising speed limits to as their strategy to reduce the number of road deaths. Meanwhile, our governments and authorities in Victoria and much of Australia, are so obsessed with the outdated 'speed kills' notion.

Reducing speed limits particularly outside built up areas and country roads are a short-sighted strategy, particularly when no action is done, and no long-term strategy is devised to upgrade and maintain roads. Whilst governments and authorities claim reducing speed limits may reduce crashes, this could be cancelled out in many cases as it creates complacency, distraction, fatigue and inattention, which may result in a net negative effect in terms of crashes, society and the community. It imposes a social cost as our communities are less connected and become more isolated.

We need to strike the right balance between safety and meeting community expectations, thus there need to be studies undertaken to assess whether raising the speed limit is a viable option for

our state, and recent polls show there is strong community support for raising the maximum speed limit (see the link https://www.abc.net.au/mediawatch/transcripts/1302_poll1.pdf). Rather than relying on bureaucrats to set the speed limits which in some cases out of touch with community expectations, speed limits should be set based on a speed that most drivers think would be reasonable and capable of doing.

Surely, the government can invest in upgrades to our regional freeways which can include intersection removals, deviations around tight curves, roadside barriers, smart freeway technology and maybe improving the quality of road surfaces. This will then mean our freeways would be void of any potential hazards that could lead to collisions.

If those upgrades are done, then it should pave the way for the maximum speed limit to be raised to maybe up to 140km/h, better connecting Melbourne with regional Victoria through reduced travel times by up to 15 minutes from some areas. In most road corridors, this is the only way to achieve further reductions in travel times.

In terms of using smart freeway technology in regional areas, they could serve a slightly different purpose compared to metro areas – whilst 140km/h could be the speed limit it can be reduced if inclement weather conditions prevail. There would also be interactive signage providing drivers with estimated travel times for regional drivers heading into Melbourne or towns/cities in between and vice versa, allowing drivers to plan during their trip.

In Victoria, those upgrades could be carried out along the Calder Freeway between Sunbury and Bendigo, followed by the Hume/Goulburn Valley Freeway between Wallan and Wodonga/Shepparton, Western Freeway between Melton and Ballarat and finally the Princes Freeway between Pakenham and Traralgon.

Raising speed limits could also be an incentive for some people to move to regional Victoria instead of Melbourne, given the reduced travel times. If some of those people don't have to travel to the Melbourne CBD for work, that could reduce some unnecessary traffic congestion. Many people will, however, still go to Melbourne to attend events, social gatherings, visiting family or relatives, or to attend medical and other appointments. Raising speed limits could also reduce congestion around our Melbourne suburbs as those who relocate to regional Victoria generally head to their respective regional towns and cities to access most services.

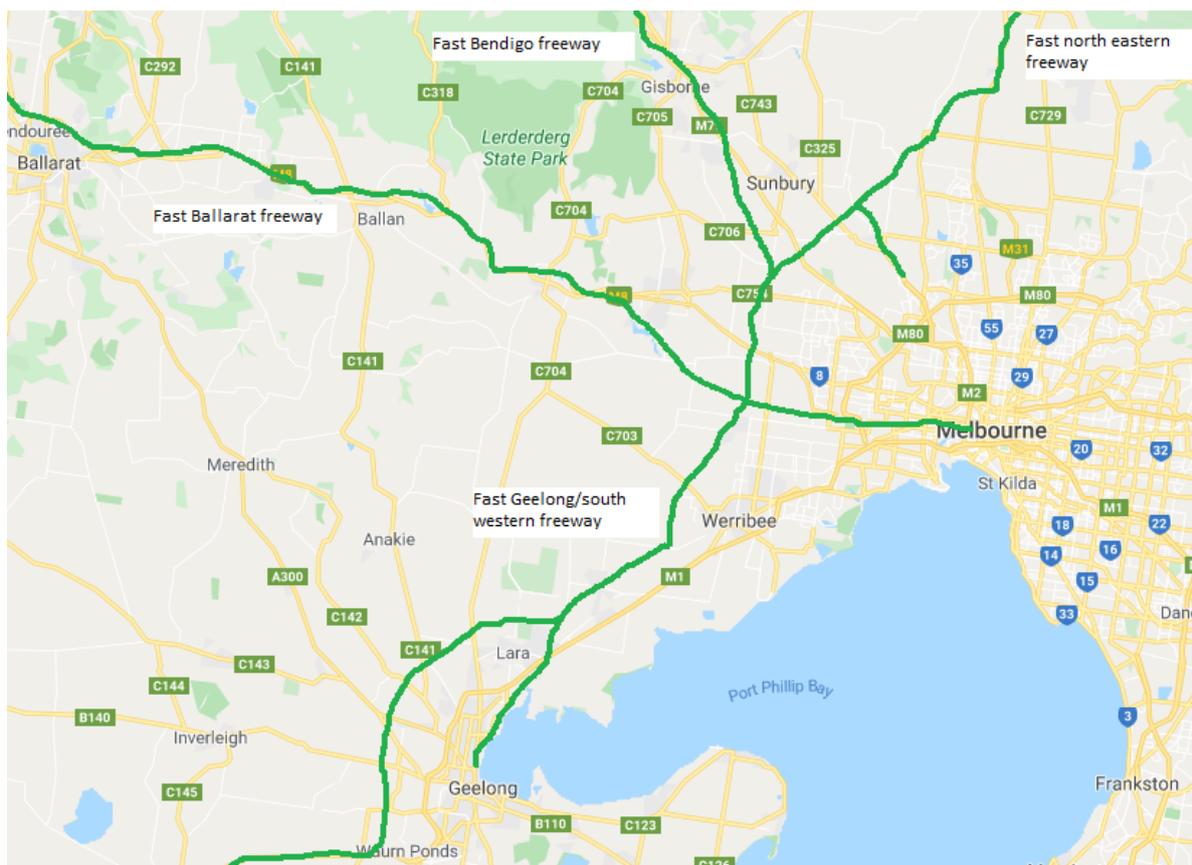
Traffic congestion can have negative effects on road safety as it can lead to increasing levels of frustration and complacency, and drivers can become distracted, fatigued and/or erratic, leading to more accidents. To reduce congestion and enable faster trips between Melbourne and regional Victoria in the long run, there should be an opportunity to create a high speed, dedicated freeway to separate metropolitan and regional traffic. This would be a better idea than the assumption of widening existing freeways, as widening freeways only carry short-term benefits.

By creating high speed, dedicated freeways for regional traffic, it would achieve reductions in travel times between Melbourne and Geelong to less than 45 minutes under normal traffic conditions, and achieve further reductions in travel times between Melbourne and Ballarat (to less than 55 minutes), Bendigo (to less than 80 minutes) and the state's north east (including Melbourne to Shepparton in less than 100 minutes), towns in between and beyond.

Those dedicated freeways could consist of a second freeway Melbourne to Geelong and another Geelong bypass, bypassing congested traffic in Melbourne's west and resulting in faster journey times for those from Geelong and the state's south west. That freeway should also link from an interchange north of Tarneit to the Western and Calder Freeways past Melton and Sunbury respectively resulting in faster trips for those from Ballarat, Bendigo and beyond.

An expanded high-speed freeway network could also incorporate the entire land originally planned for the Outer Metropolitan Ring Road up to the Hume Freeway, with connections to Tullamarine Airport. This will allow faster trips to the Airport from much of regional Victoria, as well as between Melbourne and the state's north east (including Shepparton and Wodonga). It could also be a catalyst for upgrading more Victorian roads to a freeway standard and bumping up speed limits on those roads, together with some other rural roads if practical.

A high-speed freeway network could be designed so it can have a top speed limit of up to 140km/h (apart from tunnelled sections and the final few kilometres towards the Melbourne CBD) and have no entry ramps inbound and no exit ramps outbound on the metropolitan sections of the freeway to prevent metropolitan traffic from using a freeway dedicated to regional traffic. Therefore, traffic will go their separate ways based on where the traffic originates from.



Whilst increased speed limits might create induced demand, the effect on traffic volumes would be negligible as extra capacity is made available on our freeways through increased speed limits and eventual separation of metropolitan and regional traffic.

Any eventual raising in speed limits should also consider the speed and capabilities of heavy vehicles. This could be included in speed limit related studies. If the speed limit is raised to 140km/h,

provisions could be made so that all buses and light trucks are able to travel at that speed. Consideration should also be given to future technological advancements that could see newer buses and trucks have capabilities to travel at higher speed, just like advancements for high speed rail.

Many people want to get to where they need or want to go faster. Allowing buses to travel at the same speed as cars, even with increased speed limits up to 140km/h, would meet the expectations of the general public which could benefit tour, long distance and charter buses, and to a lesser extent, rail replacement buses. If some trucks can travel that same speed, it could mean lower costs of distribution and transportation and increased productivity and efficiency, however, the maximum speed limit for bigger trucks, whilst it may increase a bit, should be optimised so that costs don't outweigh the benefits and taking into consideration the truck's capabilities.

If for any reason the maximum speed limit for large trucks can't be increased, legislation could be introduced prohibiting those trucks from using the fast freeways on the metropolitan section and fast Geelong, Ballarat and maybe Bendigo freeways as viable alternative routes are available which they can use without impeding the flow of traffic, however this needs to be weighed against the possible increased costs of business during the transport process and potential impact on local roads without additional capital works investment.

Raising maximum speed limits for heavy vehicles would be dependent on studies and any associated trial periods, however other benefits could include reduced driver fatigue and increased business revenue and profits, allowing them to expand their operations, which as a collective could benefit the Victorian economy. As a young driver myself, thinking of becoming a bus driver at some point in the future, I really look forward to any benefits that arise from changes that meet the expectations of community and businesses.

As mentioned earlier, better driver training programs will lead to improved driving skills and ensure drivers drive with common sense and using best practices. It may also address the fact that several accidents are caused by ordinary people that may have little to no interest in cars or driving (although studies should be undertaken on this).

If we ensure that only those who can, and have a passion to drive, use our roads, this could be another way to reduce traffic congestion, making for a more enjoyable ride for everyone who need or want to use the roads. This could and should be done in conjunction with road upgrades and the eventual raising of speed limits. With strong community support for raising speed limits on our freeways, if this rolls out, I anticipate many people will be able to adapt to an increased speed limit.

Other methods of reducing congestion could include expanding clearway zones and times, prohibiting installation of barriers on all car parks and removing those that exist, providing additional multi-level car parking, replace on street parking with additional lane of traffic, separating pedestrians and cyclists from vehicle traffic, restrictions on right turns, synchronising traffic lights and improved signage.

Speaking of common sense and using best practices, there should be an opportunity for our government to review and modify road rules in line with community expectations. Our road rules need to have a strong emphasis on common sense. Together with some research and trial periods,

when the community gets to have input on our current road rules and which ones need to change, abolished or added, it can achieve a positive impact on road safety as it reduces frustration and hostility on our roads and resulting in a more enjoyable ride for drivers.

Some road rule changes that should be considered over the coming years include speed limit tolerances for overtaking (Spain allows drivers to exceed speed limits by up to 20km/h when overtaking on certain roads), introducing a general hierarchy of which road users have right of way, turning left on red light, expanding keep left unless overtaking rule to all multi-lane roads and increasing speed limits around emergency vehicles.

Penalties

Another aspect of road safety that needs review is our penalties for some traffic offences, such as penalties for speeding. Our speeding penalties do not consider the risk level for speeding in different environments (for instance a driver speeding the same amount in built up areas is a higher risk compared to outside built up areas), thus penalties should be modified to reflect the risks.

A new model for speeding fines and penalties could be based on exceeding the speed limit by a certain percentage (%) rather than by km/h, with some considerations including temporary speed zones, and possible loss of licence if speed limit is exceeded by 50% or more. To reduce complacency and allow drivers to focus more on the road, there should also be an increased speed tolerance up to 10% before speeding fines are considered, except for school zones and high pedestrian environments and maybe taking into consideration other factors too.

To reduce frustration and congestion on our roads, particularly if speed limit increases are considered, the government should create a new specific offence for driving too slowly for the conditions. As part of the new offence, anyone who drive 15% below the speed limit, except in congested traffic or inclement weather conditions, should be fined. Slow drivers impede the flow of traffic and can be just as or even more dangerous than fast drivers. The government could also increase fines for failing to keep left, as the right lane is the fast lane that is used for the purposes of overtaking and slow drivers using the fast lane also impede traffic flow which is now one of the most common complaints by drivers.

Drug driving penalties could also be up for review, particularly given drug driving is becoming more common. Whilst there is no doubt those who take drugs should lose their licences, by how long the licence is lost for, as well as how much the fine is, should depend on the level of impairment rather than presence, particularly as new technology evolves, making drug driving penalties more consistent with drink driving penalties.

It is also unfair that some drivers lose their licences for offences where no crash has happened and that some drivers who cause a crash carelessly to get off more leniently. Any driver deemed to be at fault from a serious crash or other crashes that are brought to the attention of police should face a possibility of losing their licence for a certain period.

Other than that, I don't see the need to change penalties for other traffic offences unless it is associated with road rule changes or widely supported by the community. Traffic offences and penalties should be periodically analysed over time to ensure that they have a positive road safety effect as well as meeting community expectations.

To reduce the perception that fines are a revenue raising measure and instead see it as a benefit in promoting road safety, there needs to be increased publicity as to where fines from traffic offences go towards. This should be publicised on the relevant websites, social media as well as through information pamphlets at police stations and VicRoads customer service centres and attached to traffic fines. All revenue from fines should go towards research in road safety, education programs and campaigns, enforcement and upgrading roads.

There is also the opportunity to remove the demerit points scheme and replace it with an element of randomness meaning a driver then have some chance of losing their licence after their third traffic offence in a three-year period, like the randomness in breath testing locations. For instance, one driver could lose their licence after committing three traffic offences in three years, and another could lose their licence after committing five traffic offences in three years. For drivers who are due to lose their licences under this proposal, the option of a 12-month good behaviour bond should remain as an alternative – which resembles the current 'double or nothing' option.

And even though a loss of licence is one measure to protect road users, some people have lost their licence more than once in a short period of time. This is a growing problem as many people who lose their licences do so without face to face intervention, particularly as some drivers have all their traffic offences detected by cameras. Requiring people with a pattern of poor driving history to face a meeting with VicRoads could be one solution, or alternatively dedicated traffic law courts could be set up to deal with those matters (given many hearings at the Magistrates Court are for traffic related matters).

Having drivers meet face to face with authorities at a meeting or face court to address their poor driving history is an early intervention and deterrent measure. It is an early intervention measure because it would allow tailored solutions to be made, on a case by case basis, to address poor driving behaviour with the goal of achieving road safety in Victoria. It is also a deterrent as having to face a hearing is an inconvenience to drivers, thus by maintaining a good driving record, drivers won't need to face inconvenience. This is the equivalent of universities conducting hearings for students who display poor academic performance or academic misconduct.

The government could also investigate the possibility of community corrections orders as a form of penalty for serious or repeat traffic offences. Under this idea, a driver who lost their licence could be made to do a certain amount of community work or attend counselling, driver education programs and/or seek treatment before getting their licence back. Anyone who loses their licence should pay their debt to society rather than letting time lapse without doing anything to right their wrongs, which acts as both a deterrent and rehabilitation measure.

Community corrections orders might also be imposed instead of loss of licence, in which a driver loses their licence if they breach the terms of the community corrections orders. VicRoads and the police, in addition to courts, could issue community corrections orders for traffic related matters.

Furthermore, whilst there have been increased penalties for certain traffic offences over many years, it may only be effective in the short run. Some people are only aware of the penalties only after they are caught committing certain traffic offences. There needs to be an ongoing investment in research, education and promotion in terms of road safety and analysing and researching

campaigns and experience from overseas countries, particularly in Europe, to ensure it delivers the best outcomes for Victorian road users.

Crash investigation, enforcement and road safety targets

Many crashes and fatalities these days are caused by complacency, distraction and inattention and perhaps those causes are severely understated in statistics and analysis. The only ways to determine whether a person is distracted or inattentive prior to a crash is through driver's admissions, witness reports and dash cam footage, the former two which may not be reliable sources of evidence. In many cases, don't necessarily know what happens with the driver's state of mind prior to a crash.

Even though authorities claim that speed is the cause of some crashes and fatalities, in many of those cases there have been monetary lapses of attention and/or another road rule that was breached prior to the crash (e.g. fail to give way). There needs to be further research and analysis on this.

More levels of enforcement on an ongoing basis would also be an excellent measure in preventing crashes in the long run, and whilst this is primarily done by the police; increased enforcement can be through VicRoads, Department of Justice and other emergency services taking on road enforcement responsibilities as well. The involvement of other agencies might act as a deterrence, enhancing road safety as drivers would expect to be caught by different agencies for traffic offences as well. It also helps balance and prioritise police workload, delivering greater benefits in terms of community and road safety.

Whilst government's and authorities have focused on reducing the road number of lives lost on the roads as a key road safety strategy – not much is mentioned on other road safety statistics. Road safety KPI's are more than just reducing fatalities on our roads.

Any future road safety strategy should consider serious injuries (whilst this may increase in the short run due to an increased survival rate from crashes, preventative measures could reduce serious injuries). There should also be targets in terms of reducing the number of traffic infringements for all offences, but this should assume that the level of enforcement remains the same or increased, the process and discretionary powers remain fair and unbiased as well as technological advancements.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Andy Nguyen